

CORRECTED

CARLOS M. RAMIREZ
MAYOR

MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
FEBRUARY 27, 2001
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar and Luis G. Sariñana. Absent: Council Member Elvia G. Hernandez. Meeting was called to order and the invocation was given by Reverend Anthony Daniels, St. Peter's Missionary Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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Motion made by Representative Ortega, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved under Consent Agenda will be shown with an asterisk {*}).

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*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meetings of January 30, 2001 and February 6, 2001.

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*Motion made, seconded and unanimously carried to excuse Representative Hernandez from the Regular Council Meeting of February 27, 2001.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement with a transformer site to the El Paso Electric Company on a portion of Tract 4A-26, Block 2, Ascarate Grant, El Paso, El Paso County, Texas.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a modified grant award for the COPS MORE '00 Grant #CLWX0038, from the U.S. Department of Justice, Office of Community Oriented Policing Services, to fund 6 civilian positions to redeploy 6 officers to community policing positions, in the amount of \$150,071.00. Matching funds required in the amount of \$108,549.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso, the County of El Paso and the West Texas Community Supervision and Corrections Department for the continuation of "Project Spotlight," a program to provide intensive supervision and surveillance of youth and young adults who are on probation. The City will provide the services of three officers. The County will pass through grant funding to the City to pay for the services of the officers in an amount not to exceed the grant award for such purpose.

***RESOLUTION**

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2001 CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (COHEN STADIUM OUTFIELD FENCING PROJECT)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto; and, (Exhibit on file with this Resolution in the City Clerk's Office.)

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the project known as the replacement of the Cohen Stadium outfield fencing project.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the property listed on Exhibit "A" attached hereto will not exceed \$65, 000.00.

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Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

.....
***R E S O L U T I O N**

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2001 CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (COHEN STADIUM ROOF REHABILITATION AND HVAC WORK)

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the construction, reconstruction, repair or renovation of the property listed on Exhibit "A" attached hereto; (Exhibit on file with this Resolution in the City Clerk's Office.) and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the construction, reconstruction, repair or renovation of the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the project known as Cohen Stadium roof rehabilitation and HVAC work.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the property listed on Exhibit "A" attached hereto will not exceed \$135,000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the Vendor's Agreement between the CITY OF EL PASO, on behalf of the PARKS AND RECREATION DEPARTMENT, and YWCA - CHILD CARE MANAGEMENT SERVICE for daycare cost subsidies to eligible low income families at the daycare center located at the Nolan Richardson Community Center, more particularly described as 4435 Maxwell, El Paso, Texas 79904.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Erika Benet Hernandez, Lifeguard I, Step 1
DATES: February 12, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-182

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Hugo C. Martinez, Lifeguard Trainee
DATES: February 19, 2001, thru September 30, 2001
RATES PER HR: \$5.25
CONTRACT NO: 2000/2001-183

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **AMANDA DELGADO** to conduct a story time program celebrating Easter for children at the Memorial Park Branch Library on April 14, 2001 from 3:00 pm. to 4:00 p.m. The total cost for the program will be \$60.00.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreements between the City of El Paso and the following Volunteers to present programs at various branches of the El Paso Public Library. These contracts are subject to the approval of the City's Civil Service Commission.

1. Japanese Women's Club of El Paso, February 17, 2001, at the Irving Schwartz Branch Library
2. El Paso County Humane Society, March 8, 2001, at the Westside Branch Library
3. Wild Spirit Wildlife Reserve, March 24, 2001, at the Irving Schwartz Branch Library
4. Wild Sprit Wildlife Reserve, April 7, 2001, at the Westside Branch Library

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Margaretann Bustamante for the El Paso Public Library. There is no cost to the City.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **STEVEN D. FLORES** to amend the compensation and method of payment language.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Employee Contract between the City of El Paso and Raul Delgado, to be employed as an Economic Program Analyst for the Economic Development Department at the rate of \$20.19 per hour, not to exceed 40 hours per week. The total amount of the contract shall not exceed \$42,000.00. The term of the contract shall be for the period of March 1, 2001 through February 28, 2002.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **ILYANA HERNANDEZ** for the El Paso Library to be paid at the rate of \$5.23 per hour, not to exceed 20 hours per week without permission from Co-Op coordinator, in which case Employees may work up to 40 hours per week, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contract is from March 1, 2001 through February 28, 2002 and is subject to the approval of the City's Civil Service Commission.

Representative Sariñana asked what the minimum wage is.

Ms. Terry Bond, Interim Personnel Director, responded \$5.15

Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***RESOLUTION**

That the Mayor be authorized to sign a Professional Services Contract, on behalf of the EL PASO CITY-COUNTY HEALTH AND ENVIRONMENTAL DISTRICT with Maria De Jesus Rodriguez, D.D.S., to provide dental services from March 5, 2001 through March 4, 2002 at a rate of \$50.00 per hour. The total amount of the contract shall not exceed \$22,000.00.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract for an Independent Contractor between the **CITY OF EL PASO** and **JOHN E. HARGROVE** to increase the total amount of compensation to \$65,000.00.

Representative Sariñana asked what the responsibilities of Mr. Hargrove were.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained Mr. Hargrove is the Telecommunications Engineer, he keeps the equipment up and running. Mr. Hargrove has been very diligent in keeping the system running and with the addition of the ADL equipment, Mr. Hargrove has become much more important to the City.

Representative Medina asked whether this should be a full time position.

Ms. Cunningham responded the City is currently recruiting for a full time administrator.

Representative Cook stated \$80.00 an hour is not very expensive.

Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **PATRICIA GROVE** to increase the number of hours per week Employee can work to not to exceed 40. This amendment is subject to the approval of the City's Civil Service Commission.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY OF EL PASO:

That the Mayor be authorized to sign a Consent to Assignment from LUCENT TECHNOLOGIES, INC. to AVAYA INC. with respect to the City of El Paso's Contract No. 2001-128 to provide Telephone Maintenance Service to various City of El Paso City Departments.

Representative Sariñana questioned why the City is only doing this with various departments and not all departments. Mr. Byron Johnson, Director of Purchasing, responded the company will maintain the phone system for all the departments.

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution.

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***R E S O L U T I O N**

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2001 BOND ACQUISITIONS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS.

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes (Tax-Exempt Obligations) pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition of Police Vehicles and City Vehicles, and;

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the acquisition of the items listed herein; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the items listed herein from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself the costs associated the items listed herein; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition of the items listed herein from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the items listed herein will not exceed \$1,570,000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

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*Motion made, seconded and unanimously carried to postpone one week the Resolution that the Mayor be authorized to sign an Contract between the City of El Paso and Keep El Paso Beautiful, Inc. in the amount of \$40,000.00 whereby Keep El Paso Beautiful, Inc. agrees to perform services, including educating the community about long-term benefits of developing and maintaining a clean and healthy community for the period beginning at the execution of this contract through August 31, 2001, subject to Civil Service approval.
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*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 20th day of March, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 10608 Murphy Street, in El Paso, Texas, which property is more particularly described as:

Lot 5, Block 2, Sarah Ann Park, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 34, Page 16, Plat Records of El Paso County

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, David & Eva Davids, 10608 Murphy Street, El Paso, Texas 79924, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 20th day of March, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 9221 San Lorenzo Avenue, in El Paso, Texas, which property is more particularly described as:

Lot 90, Singh Addition, Second Section, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 16, Page 39, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Acquisition E. P. T.,/LTD, 600 Sunland Park, I-200, El Paso, Texas 79912, and Roberto Palma, 9200 Carranza Drive, El Paso, Texas 79907 are listed as the Owners of the real property described herein.

The Owners of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

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*RESOLUTION

You are hereby notified that at 9:00 a.m. on the 20th day of March, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 127 S. Gibraltar Drive, in El Paso, Texas, which property is more particularly described as:

Lots 25, the South portion of 26, and the adjacent East ½ of the closed alley, Block 15, Sambrano Suburb, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 2, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Cruz Orona, 127 S. Gibraltar Drive, El Paso, Texas 79905 and Maria Luz Orona & Juan Orona, 8147 Starr Avenue, El Paso, Texas 79907 are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Buildings should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Buildings in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owners' lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

*Motion made, seconded and unanimously carried that the street improvements in the following subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Subdivision: North Hills Unit Seventeen

Street Improvements:

Loma Del Norte Dr. - from the south-easterly property line of Lot 53, Block 32, to the north-easterly property line of Lot 86, Block 32.

Loma Taurina Dr. - from Loma Del Norte Dr. to the heel in front of Lot 66, Block 32.

John B. Oblinger Dr. - from Loma Del Norte Dr. to the heel in front of Lot 66, Block 32.

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*Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

Library Assistant, Library (1 position)

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*Motion made, seconded and unanimously carried to approve the requests for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

A. Inventory Coder, Purchasing (1 position)

B. Station Operations Coordinator, Central Regional Command (1 position)

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Airport:

| | | | |
|--------|---|----------------------|-------|
| Add | 1 | Accounting Clerk | GS 16 |
| Delete | 1 | Electrician | GS 19 |
| Add | 1 | Electrician's Helper | GS 11 |

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Economic Development:

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|-----|---|-----------------------------|--------------|
| Add | 1 | Economic Program Analyst II | PM 76 |
| Add | 1 | Graduate Intern | Unclassified |

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*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Municipal Court:

| | | | |
|-----|---|------------|-------|
| Add | 1 | Cashier II | GS 16 |
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*Motion made, seconded and unanimously carried to appoint Samuel Silvas, Sr. to the Historic Landmark Commission by Representative Escobar.

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*Motion made, seconded and unanimously carried to appoint Dr. Dale Burleson to the Medical Policy Board by Representative Medina.

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*Motion made, seconded and unanimously carried to appoint Henry J. Whelen to the Flood Damage Prevention Board of Appeals by Representative Medina.

*Motion made, seconded and unanimously carried to appoint Rodolfo Rodriguez to the Art Museum Advisory Board by Representative Ortega.

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*Motion made, seconded and unanimously carried to delete the removal of Eddie Holguin, Jr., from the Community Development Steering Committee, as requested by Representative Escobar.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESIDENTIAL STREET LIGHT(S): Approve installation, power, and maintenance of residential street light(s) at the dead end at Rufus Brijalba Drive.

Representative Ortega explained the reasons for the installation of the light.

Representative Sariñana questioned why the street light was so expensive. Mr. Ted Marquez, Traffic Engineering Division Manager, clarified that the cost estimate was provided from the contractor. The street will require trenching due to the location of the street light.

Representative Sumrall asked Mr. Marquez whether this is will be an overhead or underground installation and if there is a possibility to send these to bid.

Mr. Marquez responded this is an underground installation. Mr. Marquez explained that the price may be the same depending on the distance.

Representative Ortega clarified that the street light is being placed in an alleyway.

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to approve installation, power, and maintenance of residential street light at the following location:

At dead end at Rufus Brijalba Drive. Funding Source in the amount of \$3,660.00 to be provided from **District 5** Discretionary Account.

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*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved, as revised, in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City:

- A. PID #U819-999-0010-1875, \$2,537.81 per month installments on a balance of \$12,455.83 for 1993, 1994 & 1996 taxes; Lee A. Chagra Jr. - 636 Frontera Rd.
- B. PID #E014-999-0070-2700, \$193.16 per month installments on a balance of \$4,856.06 for 1996, 1997, 1998, 1999 and 2000 taxes; Eloisa Duron - 3519 Rivera Ave.
- C. PID #M425-999-0360-4300, \$203.02 per month installments on a balance of \$2,275.22 for 1997 and, 1999 taxes; Manuel & Rosa E. Bernal - 5340 Juliandra Ave.
- D. PID #0230-999-2006-0000, \$298.54 per month installments on a balance of \$2,311.89 for 1993, 1994, 1995, 1996, 1997, 1998, 1999 and 2000 taxes; Wolf's Generators % William Wolf - 10126 Dyer St. (Revised to read "Generators" instead of "Generations".)
- E. PID #Y805-999-0280-1050 & 0079-999-8010-0000, \$434.72 per month installments on a balance of \$9,269.56 for 1989, 1990 and 1991 taxes; ASMAR Truck Equipment Inc; - 7713 Alameda.

- F. PID #Y805-999-032B-1350, \$581.06 per month installments on a balance of \$11,719.59 for 1991 taxes; Sandoval Capital, inc. - 8410-8412 Alameda.
- G. PID #Y848-999-0000-0100, \$2,523.41 per month installments on a balance of \$19,523.46 for 1999 taxes; Mowad Family Limited Partnership Watusy Limited Partnership - 9033 Billy the Kid.
- H. PID #A451-999-000D-7100, \$395.00 per month installments on a balance of \$2,284.84 for 1997 and 2000 taxes; Manuel & Maria D C Cobos - 2702 Grant Ave.

.....
 *Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Transamerica RET in the amount of \$1,381.03, overpayment of 1999 taxes. (PID #C166-999-0010-1400)
- B. Sierra Title Co. in the amount of \$5,096.23, overpayment of 2000 taxes. (PID #C340-999-1500-1700)
- C. Fernando Dorado in the amount of \$1,613.07, overpayment of 1999 taxes. (PID #C818-999-0320-3700)
- D. Stewart Title Co. in the amount of \$1,797.12, overpayment of 1998 taxes. (PID #E054-999-0370-5700)
- E. Lone Star Title Company in the amount of \$3,254.79, overpayment of 2000 taxes. (PID #H415-999-0060-1000)
- F. I-10 Joint Venture in the amount of \$530.66, overpayment of 2000 taxes. (PID #I003-999-0080-0400)
- G. Thomas Wiggins III in the amount of \$2,423.33, overpayment of 1999 taxes. (PID #I256-999-0040-3500)
- H. Francisca Torres in the amount of \$670.38, overpayment of 1999 taxes. (PID #M851-999-0220-7100)
- I. Francisco Garcia in the amount of \$1,016.77, overpayment of 1999 taxes. (PID #M771-999-0200-1500)
- J. Sierra Title Company in the amount of \$1,702.10, overpayment of 2000 taxes. (PID #M851-999-0910-7600)
- K. Michael Charles Cook in the amount of \$805.03, overpayment of 1999 taxes. (PID #P133-999-0070-6700)
- L. Stewart Title Co. in the amount of \$1,723.29, overpayment of 2000 taxes. (PID #P481-999-0010-2300)
- M. Xavier & Linda Gonzalez in the amount of \$1,343.12, overpayment of 2000 taxes. (PID #P588-999-0010-0500)
- N. Lawyers Title in the amount of \$1,772.24, overpayment of 2000 taxes. (PID #P654-999-0630-2500)
- O. Esperanza Gonzalez in the amount of \$3,134.33, overpayment of 2000 taxes. (PID #R749-999-0030-8500)
- P. Sierra Title Company in the amount of \$964.36, overpayment of 1999 taxes. (PID #S019-999-0010-0100)
- Q. First American Title In. Co. of Texas in the amount of \$991.33, overpayment of 2000 taxes. (PID #S029-999-0300-1500)
- R. First American Title Company in the amount of \$1,451.09, overpayment of 2000 taxes. (PID #S237-999-0350-2300)
- S. Government Employees Credit Union of El Paso in the amount of \$1,146.33, overpayment of 2000 taxes. (PID #S533-000-0130-1250)

- T. Mortgage Acceptance Corporation in the amount of \$4,176.08, overpayment of 2000 taxes.
(PID #S812-999-0070-2600)
- U. Transamerica RET in the amount of \$549.37, overpayment of 1999 taxes.
(PID #S912-999-001D-8800)
- V. Stewart Title Co. in the amount of \$1,174.08, overpayment of 2000 taxes.
(PID #V832-999-0060-5700)
- W. Lawyers Title in the amount of \$4,724.29, overpayment of 1999 taxes.
(PID #V897-999-0870-1200)
- X. Elsa Valdez-Ocana in the amount of \$1,000.00, overpayment of 2000 taxes.
(PID #V927-999-0080-0200)
- Y. Lone Star Title in the amount of \$2,438.38, overpayment of 2000 taxes.
(PID #W145-999-0240-3000)
- Z. Lawyers Title of El Paso in the amount of \$2,094.31, overpayment of 2000 taxes.
(PID #W145-999-0610-2400)
- AA. Sierra Title Company in the amount of \$123,351.16, overpayment of 2000 taxes.
(PID #X219-999-0000-2700)
- BB. Fleet Mortgage in the amount of \$2,207.96, overpayment of 1999 taxes.
(PID #H417-799-0030-0300)
- CC. USDA Rural Housing Service in the amount of \$1,118.03, overpayment of 1999 taxes.
(PID #R550-000-0002-0024)

.....
 *Motion made, seconded and unanimously carried that the Director of Purchasing be authorized to issue Purchase Order to Crystalizations System, Inc. proprietary designers of the Moving Storage Units that are currently in use at the Museum of Art. (2001-135)

Department: Museum of Art
 Funds Available in: 250101-208008
 Funding Source: Certificate of Obligation 2000
 Total Award: \$20,000.00 (estimated annually)

.....
 *Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to purchase additional quantities at the same unit price, pursuant to the terms and conditions of Contract 2000-186, with Palmer Snyder Furniture Company Inc., Brookfield, WI., for folding tables for the Parks and Recreation Department.

Option No.: One
 Department: Parks & Recreation
 Funds available: 250101-208009 Project MB0001 Project Detail 130
 Funding source: Certificate Of Obligation 2000 Furniture & Fixtures
 Total award: \$14,883.00

.....
 *Motion made, seconded and unanimously carried to award Bid No. 2001-053 City Vehicles-2001

Award to: Casa Ford
 El Paso, Texas
 Item: Group I, Item 1 (with Option 26)
 Group II, Items 1, 2, 3
 Amount: \$187,235.23

Department: Various
 Funds available: 250201-208006-MB0002-130 (\$155,812.09)
 150048-208006-210107 (\$31,423.14)

Funding source: FY2001 Certificates of Obligations
SWAT Block Grant FY2000
Total amount: \$187,235.23

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Lower bids were received but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days, from the date of award of the contract (or until Manufacturer's Build-Out). No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-071 Drug Testing and Alcohol Screening for City Personnel

Representative Sumrall noted the bid was awarded to the highest bidder. She asked Mr. Byron Johnson, Director of Purchasing, to clarify.

Mr. Johnson explained there were two problems: 1) a small number of labs that could do the testing according to DOT and Sun Metro requirements; and 2) Thomason had to drop out of the bidding process.

Representative Escobar asked if a test came back positive would a second test be given free of charge.

Ms. Terry Bond, Interim Personnel Director, stated that the individual would pay these expenses.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-071 Drug Testing and Alcohol Screening for City Personnel

Award to: Examination Management Services, Inc.
Richardson, Texas
Items: All
Total Award: \$72,000.00 (annual estimate)

Department: Personnel
Funds Available: Various
Funding Source: Various
Total Award: \$72,000.00 (annual estimate)

The Personnel Department and the Purchasing Department recommend award as indicated. Examination Management Services, Inc. is the lowest responsive and responsible bidder meeting specifications.

This is a four (4) year contract with no options to renew the contract.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-079 Turf Sweeper

Award to: Simpson Norton Corporation
Albuquerque, NM
Item: 1 with Optional Items O1 and O2
Amount: \$87,900.00

Department: Parks and Recreation
Funds available: 102009-208029-540009
250101-208029-MB0001-130
Funding source: FY1999 Contractual Obligations (\$30,000.00)
FY2000 Certificates of Obligation (\$57,900.00)
Total amount: \$87,900.00

The Parks and Recreation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase five (5) Turf Sweepers. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-081 Police Vehicles

Representative Ortega stated the City is investing a large amount of money for the Police Department's marked vehicles. Mayor Carlos M. Ramirez clarified the City is replacing a number of police vehicles every year.

Captain Mike Gill, El Paso Police Department, thanked Mayor and Council for approving the bid award. He added the Police Department appreciates the purchase of the new vehicles.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-081 Police Vehicles

| | |
|------------------|--|
| Award to: | Vendor 1: Casa Ford, Inc. |
| Item | El Paso, Texas |
| Amount: | 1, 2, 3, 4 and Option O2 |
| | \$1,307,009.59 |
| | Vendor 2: Rudolph Automotive Corporation |
| | El Paso, Texas |
| Item | 5 and Option O4 |
| Amount: | \$66,313.98 |
| Department: | Police |
| Funds available: | 250201-208006-MB0002-130 |
| Funding source: | FY2001 Certificates of Obligation |
| Total amount: | \$1,373,323.57 |

The Police, Equipment Maintenance and Purchasing Departments recommend awards as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase Fifty-Two (52) Police Vehicles. There is an option from Casa Ford to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days (or until 2001 model year build-out), from the date of award of the contract. Rudolph Automotive Corporation did not offer an option to purchase additional quantities. No prompt payment discount is offered.

*Motion made, seconded and unanimously carried to award Bid No. 2001-088 Electro/Mechanical Filing System (Rebid)

Award to: Professional Document Systems
El Paso, TX
Item(s) 1
Amount: \$18,952.00

Department: Municipal Court
Funds Available: 250101-208009
Funding Source: Certificate of Obligations 2000 Furniture & Fixtures
Total Award: \$18,952.00

Municipal Court and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidders meeting specifications.

This is a one time purchase.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-095 Dive and Rescue Equipment

Award to: Mar-Vel Underwater Equipment, Inc.
Pennsauken, NJ
Items 1 through 6
Amount: \$19,284.00

Department: Fire Department
Funds Available: 250101-208007
Funding Source: Certificate of Obligations 2000 Public Safety Equipment
Total Award: \$19,284.00

Fire Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidders meeting specifications.

This is a one time purchase with the options offered to purchase 100% of the original quantities, at the same unit price, if the option is exercised within a six (6) months period.

.....
*Motion made, seconded and unanimously carried to approve the above Bid Award Bid No. 2001-120

Project: Outfield Fencing at Cohen Stadium
Contractor: PR Homes, Inc.
El Paso, Texas
Department: Parks & Recreation
Funding: 130500-PW0046-011-208027 - 2001 Commercial Paper
Base Bid: \$64,777.00
Total Award: \$64,777.00

That the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, the Purchasing Contract Compliance Administrator and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award, without further authorization by City Council.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000.00 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded without further authorization by City Council.

Description or Explanation:

Base Bid I - \$64,777.00
Total Recommended Award \$64,777.00

Motion made by Representative Medina, seconded by Representative Sariñana to reconsider and move to the regular agenda Bid No. 2001-120, Project: Outfield Fencing at Cohen Stadium

Representative Medina stated he would vote against this item. He stated that the Diablos Baseball organization should pay for their own outfield fencing for Cohen Stadium.

Mayor Carlos M. Ramirez explained that a representative from the Diablos was present when the vote was originally taken for the Consent Agenda. He added there is no one available from the organization to answer any questions Council Members may have.

Representative Cook clarified that this was part of the Qualify of Life Bond Issue which was voted on by the taxpayers.

Representative Sumrall asked to receive a list of improvements to Cohen Stadium under this bond issue.

Motion made by Representative Cook, seconded by Representative Sumrall and carried to award Bid No. 2001-120

Project: Outfield Fencing at Cohen Stadium
Contractor: PR Homes, Inc.
El Paso, Texas
Department: Parks & Recreation
Funding: 130500-PW0046-011-208027 - 2001 Commercial Paper
Base Bid: \$64,777.00
Total Award: \$64,777.00

That the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, the Purchasing Contract Compliance Administrator and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award, without further authorization by City Council.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000.00 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Description or Explanation:

Base Bid I - \$64,777.00
Total Recommended Award \$64,777.00

Representative Medina voted Nay.

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT201-233 MUSEUM OF ART

Transfer funding for required appropriations from donations to pay recently approved benefits for School Services Coordinator.

| | | | | |
|----------|---------|----|----------------------|--------------------|
| Increase | \$4,000 | to | 154001/540006/105060 | Donations |
| Increase | \$4,000 | to | 154001/540006/207001 | Intrafund Transfer |
| Increase | \$4,000 | to | 154078/540109/107001 | Intrafund Transfer |
| Increase | \$4,000 | to | 154078/540109/201011 | Part time Salaries |

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT201-275 MUSEUM OF ART

Transfer funding for required appropriations from donations required for recently approved payment of benefits to School Services Coordinator.

| | | | | |
|----------|---------|----|----------------------|--------------------|
| Increase | \$5,000 | to | 154001/540006/105060 | Donations |
| Increase | \$5,000 | to | 154001/540006/207001 | Intrafund Transfer |
| Increase | \$5,000 | to | 154078/540109/107001 | Intrafund Transfer |
| Increase | \$5,000 | to | 154078/540109/201011 | Part Time Salaries |

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT201-276 MUSEUM OF ART

To transfer funding for projected building improvements to include HVAC, water treatment and security upgrades.

| | | | | |
|----------|----------|----|----------------------|------------------------|
| Increase | \$25,000 | to | 154001/540006/105060 | Donations |
| Increase | \$25,000 | to | 154001/540006/203200 | Bldg-Fac Maint Repairs |

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT201-277 MUSEUM OF ART

Transfer necessary funding for required appropriations in School Services Program for printing and printing supplies.

| | | | | |
|----------|---------|------|----------------------|----------------------|
| Decrease | \$4,300 | from | 150026/540101/201011 | Part Time Temporary |
| Increase | \$1,000 | to | 150078/540109/202209 | Printing Services |
| Increase | \$2,300 | to | 150078/540109/202215 | Outside Contracts |
| Increase | \$1,000 | to | 150078/540109/203107 | Photography Film Vid |
| Increase | \$4,300 | to | 150078/540109/107001 | Intrafund Transfer |
| Increase | \$4,300 | to | 150026/540101/207001 | Intrafund Transfer |

.....
Motion made, seconded and unanimously carried to approve budget transfer BT201-288 COMMUNITY *DEVELOPMENT

The purpose of this request is to establish a budget for the Public Service Board (PSB) portions of the Apodaca Place Completion project, a 25th year (1999-2000, 2000-2001) CDBG project.

| | | | | |
|----------|---------|----|--------------------------|----------------------|
| Increase | \$9,494 | to | 150065/7126PS0009/106002 | Local Grant Proceeds |
| Increase | \$9,494 | to | 150065/7126PS0009/208027 | Contingencies |

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT201-292 PUBLIC WORKS

Public Works proposes to appropriate \$865,360 to fund the extension of Edgemere Blvd. This is a TIP project funded 80% state funds and 20% local match. Funding source for City is FY00 sale of CO's.

| | | | | |
|----------|-----------|----|-------------------------|---------------|
| Increase | \$450,000 | to | 250102/PW0035009/107020 | Bond Proceeds |
| Increase | \$415,360 | to | 255002/PW0035009/106001 | State Grant |
| Increase | \$415,360 | to | 255002/PW0035009/208016 | A/E |
| Increase | \$103,840 | to | 250102/PW0035009/208016 | A/E |
| Increase | \$346,160 | to | 250102/PW0035009/208027 | Construction |

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT201-294 MUNICIPAL COURT

Purchase of X-Ray Machine, Metal Detector, Guide Line Stanchions, Detector Wands, Keypad/ID Entry System, and increase of Security Personnel for Northeast Court. Purchase of bullet-proof windows for Pebble Hills Bond Office.

| | | | | |
|----------|----------|----|---------------|--------------------------|
| Increase | \$75,000 | to | 150051/104054 | Mun Ct Security Revenues |
| Increase | \$55,000 | to | 150051/208003 | Bldg Improve-Capital |
| Increase | \$20,000 | to | 150051/202212 | Security Contracts |

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT201-299 COMMUNITY DEVELOPMENT

The balance in the Relocation Cash Rental Assistance Account is down to \$1,748.90. It is estimated that \$3,500.00 is needed immediately to cover Fixed Moving Expense Payments for tenants from 906-908 N. Mesa (property which was condemned 2/13/2001). \$18,184.00 is needed to cover final Cash Rental Assistance Payments for tenants who have returned to two different rehabilitated apartment buildings. An additional, \$3,534.00 is needed to cover final Cash Rental Assistance Payment for a tenant displaced by the First Time Homebuyer Program.

\$10,836.00 will be needed to cover relocation expenses (Cash Rental Assistance and Actual Moving) for tenants returning to 189 Collingsworth, once this project is completed. This office is requesting that \$35,000.00 be added to this account in order to complete this calendar year.

| | | | | |
|----------|----------|----|--------------------------|----------------------|
| Increase | \$35,000 | to | 150039/710RLFCDAH/106040 | Program Income |
| Increase | \$35,000 | to | 150039/710RLFCDAH/205210 | CD Rental Relocation |

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT201-303 PUBLIC WORKS

Public Works proposes to appropriate \$320,000 for the Asarco - SEP project. Funding source is Asarco.

| | | | | |
|----------|-----------|----|----------------------|----------------|
| Increase | \$320,000 | to | 255001/PW0025/105067 | Reimbursed Exp |
| Increase | \$320,000 | to | 255001/PW0025/208027 | Construction |

.....

*Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

License application refund to Raymond P. Harris in the amount of \$100.00.

.....
*Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

Plumbing refund permit #01-00865 to Mario Chavez in the amount of \$30.00.

.....
*Motion made, seconded and unanimously carried to postpone eight weeks the Ordinance changing the zoning of Lots 7 - 10, Block 14, Alexander Subdivision, El Paso, El Paso County, Texas (220 Blacker Avenue) from R-4 (Residential) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant/Representative: Patrick R. and Angelica J. Barill, 220 Blacker Ave., 79902; ZC-99054

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ORDINANCE 14775

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 44, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS (11900 BLOCK OF RUFUS BRIJALBA DRIVE) FROM Q (QUARRY) TO R-3A (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Mayor Carlos M. Ramirez explained this is an appeal zoning case.

Ms. Pat Adaauto, Interim Planning Director, gave Council Members background information regarding the property. She explained that she had received a petition this morning from the home owners asking that six conditions be made a part of the rezoning request. She read these conditions into the record.

The following individuals made comments before the Council Members: Mr. David Escobar, representing CareFree homes, Mr. Terry Tipton, resident of Los Paseos Subdivision, Fire Department Planning Chief Donald Marron, Mr. Ted Marquez, Traffic Engineering Division Manager, Mr. Richard Gutierrez, resident in the area, Mr. Charlie McNabb, City Attorney and Ms. Cindy Cellum, Assistant City Attorney.

Representatives Ortega, Cook, Sumrall, Sariñana, Medina, Rodriguez, Escobar each commented. Representative Sumrall made a motion to postpone one week which did not receive a second.

After much discussion, Ms. Cellum clarified that Council Members were approving the zoning change today, the other items would be brought back to Council Members at a later date.

Motion duly made by Representative Ortega, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

*Motion made, seconded and unanimously carried to postpone four weeks an Ordinance changing the zoning of a portion of Tract 8-A, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas (6135 Westside Drive) from R-F (Ranch-Farm) to S-D (Special Development). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Virginia R. Rocha / Representative: Robe Roque, 6135 Westside Dr., 79932; ZC-00047

THIS IS AN APPEAL ZONING CASE

.....
*Motion made, seconded and unanimously carried to postpone one week an Ordinance granting Special Permit No. SU-99015 to satisfy parking requirements for Parcel I, described as all of Tracts 1 and 2, and a portion of Tract 3, Silverwood Subdivision, El Paso, El Paso County, Texas (5005 Love Road), and on Parcel II, described as Lot 1, Block 1, Rosemont Amending Subdivision, El Paso, El Paso County, Texas (4965 Love Road) pursuant to Section 20.12.040R and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Zone R-1 (Residential); Applicant: St. Mark's United Methodist Church / Representative: Faught & Associates, 433 Executive Center Blvd., El Paso, TX 79902

.....
ORDINANCE 14776

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. SU-00022, TO ALLOW FOR A CHURCH ON A SITE OF LESS THAN THREE ACRES ON PORTIONS OF LOTS 1 TO 3, AND ALL OF LOTS 6 TO 20, BLOCK 267, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS; AND TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS ALL OF LOTS 6 TO 10, BLOCK 267, CAMPBELL ADDITION (915 N. FLORENCE STREET), BY ALLOWING OFF-STREET PARKING ON PARCEL II, DESCRIBED AS PORTIONS OF LOTS 1 TO 3, BLOCK 267, CAMPBELL ADDITION, AND ON PARCEL III, DESCRIBED AS ALL OF LOTS 11 TO 20, BLOCK 267, CAMPBELL ADDITION (900 BLOCK OF N. CAMPBELL STREET), PURSUANT TO SECTIONS 20.22.040.G, 20.22.040.O, 20.42.040.A, AND 20.42.040.L (ZONING) OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sumrall, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Ortega was not present for the vote.

.....
ORDINANCE 14777

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1-B-2 AND ALL OF TRACT 1-I, BLOCK 10, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (UPPER VALLEY ROAD AT ARTCRAFT ROAD) AS FOLLOWS: PARCEL 1, FROM R-F (RANCH-FARM) TO R-3A (RESIDENTIAL); PARCEL 2, FROM R-F (RANCH-FARM) TO C-2 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sumrall, seconded by Representative Ortega that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone one week an Ordinance changing the zoning of all of Tracts 17-C-8, 17-C-11 and 17-C-35, Section 8, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas (St. Vitus Place at St. Jude Avenue) from R-3 (Residential) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Saratoga Homes, LTD. / Representative: Atcon Engineering & Surveying, 2112 Trawood, Ste. B-1, El Paso, TX (35). ZC-00080
.....

ORDINANCE 14778

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF H. G. FOSTER SURVEY NO. 262, EL PASO, EL PASO COUNTY, TEXAS (EAST OF HIGH RIDGE DRIVE) FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14779

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.110 (SCHEDULE IX - SPECIAL TRUCK ROUTES FOR HAZARDOUS MATERIAL-CARRYING VEHICLES) TO INCLUDE ARTCRAFT/ORD GARY HIGHWAY (SH 178) FROM WEST CITY LIMITS (NEW MEXICO STATE LINE) TO INTERSTATE HIGHWAY 10. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Mr. Ted Marquez, Traffic Engineering Division Manager, stated that the Ordinance should read "ARTCRAFT/ORD GARY HIGHWAY" rather than "ARTCRAFT ROAD" as was shown on the Agenda.

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted as revised. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14780

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.040 (SCHEDULE IV - PARKING PROHIBITED ON CERTAIN HOURS ON CERTAIN STREET) PARAGRAPH 12.88.040 (J) (NO PARKING, 7:00 A.M. TO 4:00 P.M.) TO ADD A NEW LOCATION AT FRANK CORDOVA CIRCLE (NORTH ENTRANCE), FROM FIREHOUSE DRIVE TO A POINT 750 FEET EAST THEREOF, SOUTH SIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Escobar, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Sariñana

NAYS: None Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14781

The City Clerk read an Ordinance entitled: **AN ORDINANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF CERTAIN OFF-PREMISE SIGNS WITH CERTAIN EXCEPTIONS.**

Mayor Carlos M. Ramirez explained this is a moratorium on billboards until the BZAC (Building and Zoning Advisory Committee) can finalize the changes to the Ordinances.

Representative Medina asked Ms. Pat Aauto, Interim Planning Director, if the BZAC hasn't already addressed this issue.

Ms. Aauto explained that at their last meeting of the BZAC, the issue of on-premise and off-premise signs was referred to a technical subcommittee. A draft has been developed and in mid-March the department and subcommittee will begin the review.

Mr. Doke Hoover, President of Eller Media El Paso, referred to a chart regarding billboard applications. He added in the last 10 years Eller Media has removed more signs than they have built. He has issues with the length of time of the moratorium. He asked Council to revise the length of the moratorium to 90 days. He explained he may have to lay off workers due to lack of work.

Representative Ortega asked Mr. Terry Williams, Deputy Director of Building Services, if there was a way to reduce the length of the moratorium.

Ms. Adauto explained the BZAC is looking at coordinating the review of both building construction site and the zoning site. When the BZAC was created it was agreed that the zoning ordinance would be brought to Council Members in one document. She stated signs is only one of about 200 different elements that the BZAC is working on in the zoning ordinance. She anticipates that the entire text of the zoning ordinance would be complete in the summer; however, the second part of the zoning ordinance is the map which would take longer to compose. This moratorium would allow the BZAC the time to get all of the zoning ordinance complete and map zoning portion of the project.

Representative Ortega asked if there were any other ordinances being affected by a moratorium. He is concerned with affecting small businesses.

Ms. Adauto stated only this one.

Representative Escobar stated that if the moratorium affects jobs or businesses, he has an issue with the length of the moratorium.

Representative Sumrall asked that this be brought back in three months and have an update. This would give some security to the businesses which are affected by this moratorium.

Mayor Ramirez asked Mr. Hoover how many billboards would he expect to build in a year's time. He stated the comment about laying off workers would not be a real possibility. Mayor Ramirez explained the moratorium would be only for new billboards and the personnel are utilized to put up new billboards and maintain the existing billboards. The only thing that would not happen under this moratorium would be building new ones.

Mr. Hoover explained most of the building is taking down a sign and replacing it where there is a higher demand. He stated he could not tell the Mayor how many he would build because the company only builds when there is a demand. Mr. Hoover stated that the billboards that his company does not sell are donated to charities around town which amounts to \$200,000.00 worth of billboard space a year. Mr. Hoover stated his company builds about two billboards per month.

Ms. Cindy Cellum, Assistant City Attorney, explained in Section 4 of the Ordinance it does not apply to the replacement of billboards that are already legally in existence, it would not affect that portion of the business.

Mr. Hoover asked if his company would be able to bring in a document that states his company would be removing a sign and rebuilding it at another site and get a permit for this.

Mayor Ramirez reiterated this does not affect existing signs, this is only for new billboards.

Mr. Hoover asked if this meant that the company could rebuild.

Representative Sariñana clarified this would not mean to relocate.

Representative Cook read paragraph 4 of the Ordinance into the record.

Mr. Terry Williams, Deputy Director of Building Services, clarified if the company takes down a billboard and puts it up on the same lot, this would be considered a replacement. Mr. Williams stated there are between 1800 and 2000 billboards currently in existence.

Mr. Hoover replied he could not recall replacing five billboards in the last 10 years; therefore, this moratorium would be changing his business.

Representative Medina explained the City has a very serious problem with sign pollution.

Mr. Hoover stated his company does not display billboards with questionable content.

Mr. Sean Taylor, Superior Sign and Lighting, stated his company employs approximately 35 individuals and are heavily involved as a sub-contractor with Eller Outdoor. He stated approximately half of his workforce, the billboard division, would be laid off if this moratorium exists for a year. He stated it is important for Council Members to realize billboards are a way for the small businessman to compete with the large corporate entities. He believes this moratorium would injure the small business in El Paso.

Representative Medina stated if the moratorium causes layoffs, the individuals will have to find jobs somewhere else.

Representative Rodriguez asked why is the moratorium being presented to Council today and why did the BZAC take so long.

Ms. Cellum answered Representative Rodriguez by stating it is preferable to have the moratorium as close to the study that is going to begin. She explained she had coordinated with the Planning staff to coordinate this in a timely fashion and not to have a moratorium any longer than was necessary.

Representative Medina asked that the BZAC and Planning Department recommend a fast track be placed on this issue and that a recommendation be brought to Council before the moratorium expires.

Ms. Adata explained that the reason the moratorium is being presented to Council in this manner is to avoid having to do the work twice. She stated if this item is done in 90 days or less, the Planning Department would have to do this based on the regulations in effect today, this would be the only way to handle this fast track. She reiterated that the Department was trying to bring this Ordinance to Council in one implementing document which has the new permitting processes, new permitting fees and new regulations, 15 instead of 37 districts. This, she explained, cannot be done in 90 days.

Representative Cook encouraged Ms. Adata not to rush the process.

Representative Sariñana stated the BZAC is doing an excellent job.

Mr. Hoover explained his business can only build in commercial and manufacturing zones.

Representative Sariñana asked that someone restructure the billboards on the freeway. Mr. Hoover explained his company builds attractive signs. He also stated he would like to restructure them; however, the current Ordinance would not allow them due to legal non-conforming billboards.

Ms. Adata addressed the non-conforming issue. She stated that this issue is also a chapter in the zoning ordinance which the BZAC is looking into. She stated the BZAC is looking into tightening up the language regarding the non-conforming uses. She added BZAC and the Planning Department are working very hard to write the districts and the regulations carefully to avoid creating even more non-conformancy that already exists in the City.

Representative Ortega reminded Council Members that they have been trying to be more "business friendly". He stated that there might be the possibility to come to a win-win situation sooner than having to wait a year.

Mayor Ramirez stated that the proposed Ordinance is written in such a manner so that if the BZAC finishes early, they will bring this to Council and end it.

Representative Escobar asked Ms. Adauto to speak Mr. Hoover and Mr. Taylor and others in the industry if there would be a way to come to a compromise.

Mr. Williams responded that Council Members provide policy to the Departments and if Council wants the moratorium to be shorter or longer, then the departments will work with the individuals.

Mayor Ramirez stated Council Members directed staff and the BZAC to be as diligent as possible to change all the zoning and building Ordinances to have a friendlier, more business like approach to construction in El Paso.

Motion duly made by Representative Sariñana, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook and Sariñana

NAYS: Council Members Ortega and Escobar Absent: Council Member Hernandez

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDER

WHEREAS, after providing due notice to the Owners of the hereinafter described property, the City Council of the City of El Paso conducted Public Hearings on January 9th, 2001 and February 27th, 2001, regarding the property located at 917 N. Ochoa, more particularly described as:

Lots 9 & 10, Block 268, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owners of said property to secure the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated January 9th, 2001, that is on or before February 7th, 2001.

WHEREAS, the City Council ORDERED the Owners of said property to appear before City Council on February 27th, 2001, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:

- a. That the Owner of said property, Michael Torres, was notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
- b. That after notification, the Owner committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owner failed to secure the Building, and clean the premises of all weeds, trash and debris within 30 days after January 9th, 2001 that is, on or before February 27th 2001; and
- c. That the Owner has failed to comply with the Order each day from February 7th, 2001 through February 27th, 2001, a total of 20 days; and
- d. That the property which is subject to the Order is not the Owner's homestead; and
- e. That the City Council can assess a civil penalty against the Owner in an amount not to exceed \$1,000.00 a day for each violation, a total of \$20,000.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owner is hereby assessed the following civil penalties: \$250 a day for each of the 20 days during which the City Council Order of January 9th, 2001 was not complied with; for a total of \$5,000.
2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owner is hereby placed on notice that continuing failure to comply with the City Council's Order to secure the Building and clean the premises of all weeds, trash, and debris may result in additional penalties.

Mr. Thomas Maguire, Building Services, read from a prepared statement. He read into the record the recommendations of the Department.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to adopt the resolution and approve the recommendations of the department.

.....
 Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to delete the discussion and action to accept a proposal by the El Paso Municipal Police Officers' Association to enter into a collective bargaining agreement pursuant to Chapter 174 of the Texas Local Government Code. (Chris McGill)

Representative Cook moved to delete this item until the Mayor can give the public an update on the status of the negotiations.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the overtime and the Fair Labor Standards Act issues are "sticking points" at this time.

Mayor Carlos M. Ramirez stated the two parties are exchanging information and another meeting will be scheduled.

Representative Sumrall was concerned that the names of officers and the amounts of overtime monies have been published in the newspaper. She asked that the Council Members receive this information before it is distributed to the media.

Ms. Cunningham explained how the City's reports regarding overtime are compiled. She stated that these reports were requested by means of the "Open Records Act" by the El Paso Municipal Police Association.

Mr. David Crowder, reporter for the El Paso Times, reiterated what Ms. Cunningham had said.

.....
Motion made by Representative Sumrall, seconded by Representative Ortega and carried to postpone one week the request that selection be made by City Council to appoint one of the following three candidates to the PSB in accordance with Ordinance 752, as amended:

1. Jesus (Jesse) A. Alvarez
2. Lester L. Parker
3. Pete Payan, Jr.

Representative Medina voted Nay.

Mayor Carlos M. Ramirez requested the item be postponed due to the absence of Council Member Hernandez.

Representative Cook asked that Mr. Joe Weismiller's name be considered to the PSB. Representative Sariñana requested that Mr. Gray Taylor's name be considered. Ms. Belen Robles, citizen, made comments asking that this be delayed until the new administration is elected.

.....
Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code, Chapter 19.08 (Platting procedures), Section 19.08.040 (Land study required) in its entirety, by redefining the submission requirements of a land study and requiring City Plan Commission approval following review and recommendation of the Development Coordinating Committee, the penalty being as provided in Section 19.04.190 of the Code.
- B. An Ordinance Repealing Ordinance Nos. 008392, 008720, 011526 and any other amendments thereto, and Reestablishing the El Paso Mountain Committee.
- C. An Ordinance approving and adopting the long-range general policies for guiding growth and development in the community as contained within The Plan for El Paso and its related documents approved by City Council on April 27, 1999, and adopting modifications to the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan.

PUBLIC HEARING WILL BE HELD ON MARCH 13, 2001 FOR ITEMS A - C

- D. An Ordinance changing the zoning of a portion of Tracts 17 and 17B, and all of Tract 17B1, S.A. & M. G. Railroad Company Survey 266, City of El Paso, El Paso, County, Texas (Northwest corner of Redd Road and Interstate Highway 10) from R-3 (Residential) to C-3 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal

Code. Applicant: RJL Real Estate Consultants / Representative: John H. Folmer, 725 S. Mesa Hills Drive, Suite 1, El Paso, TX 79912. ZC-00077

- E. An Ordinance changing the zoning of portions of Lot 100, Cinecue Park, City of El Paso, Paso, County, Texas (8300 Block of Troy Avenue) as follows: Parcel 1 from R-F (Ranch-Farm) to A-M (Apartment-Mobile Home) and Parcel 2 from R-F (Ranch-Farm) to A-M (Apartment-Mobile Home). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Teodoro Martinez / Representative: Roe Engineering, Inc., 601 N. Cotton, El Paso, TX 79902, ZC-00081
- F. An Ordinance changing the zoning of all of Tracts 9A and 9B, Block 25, Ysleta Grant, City of El Paso, El Paso, County, Texas (7399 Alameda Avenue) from C-1 (Commercial) TO C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Miguel Nuñez / Representative: Dorado Engineering, 2310 Montana Avenue, El Paso, TX 79903, ZC-00082
- G. An Ordinance changing the zoning of a portion of Lot 3, Block 55, Rangers Rest Subdivision Unit One, City of El Paso, El Paso County, Texas (1015 North Zaragoza Road) from R-4 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Omar Gonzalez, M.D. / Representative: Jose M. Rubio, 651 Tepic, El Paso, TX 79912, ZC-00085

PUBLIC HEARING WILL BE HELD ON MARCH 20, 2001 FOR ITEMS D - G

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Sariñana was not present for the vote.

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ADDITION TO THE AGENDA

***RESOLUTION**

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER OF INTENT TO STATE THE INTENTION OF THE CITY OF EL PASO TO SELL THAT CERTAIN VACANT LAND AT THE SOUTHWEST CORNER OF COTTON AND FOURTH STREETS, MAGOFFIN ADDITION, EL PASO, EL PASO COUNTY, TEXAS TO PROJECT BRAVO, INC., FOR ITS FAIR MARKET VALUE OF \$40,000 FOR LOW-INCOME HOUSING.

WHEREAS, the Texas Local Government Code provides at Section 272.001 that the general notice and bidding requirements of the Chapter for the sale of city-owned property do not apply to a sale by a municipality to an entity for the development of low-income or moderate-income housing; and,

WHEREAS, Project Bravo, Inc. (Project Bravo) is a Texas non-profit corporation formed for the purpose of providing low-income or moderate-income housing which has requested the City of El Paso (City) sell to it that certain vacant parcel of land located at the Southwest corner of Cotton and Fourth Streets in El Paso, El Paso County, Texas for the purpose of low-income housing; and,

WHEREAS, Project Bravo has agreed to acquire the property for its fair market value as established by an independent appraisal at \$40,000.00; NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:

The Mayor is hereby authorized to sign a Letter of Intent stating the intention of the City to sell the vacant property located at the Southwest corner of Cotton and Fourth Streets in El Paso, El Paso County, Texas to Project Bravo, Inc., for the established fair market value of \$40,000.00. The Letter of Intent shall also provide that should Project Bravo, Inc., fail to obtain funding for the purchase within a reasonable period of time as established by the City Attorney's office, the Letter of Intent shall not be binding on the City as of that date.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the City of El Paso and Helen Jamison, County Elections Administrator of El Paso County, at an estimated cost of \$74,171.90, to provide election services and equipment for the May 5, 2001 General Election.

Resolution was revised to read "\$74,171.90" instead of "\$72,672.00" as shown on the Agenda.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Public Library is authorized to file an application for a Library Cooperation Grant of \$75,000 for sharing of resources between and among El Paso Area Libraries.

.....
*Motion made, seconded and unanimously carried to re-appoint Dr. Stephen K. MButu to the Historic Landmark Commission as requested by Representative Rose Rodriguez.

.....
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

| | |
|-----------------|--|
| Section 551.071 | CONSULTATION WITH ATTORNEY |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES |

- A. Dr. George M. Isaac, et al. vs. City of El Paso, Cause No. 99-865, Our File No. 99-S-21 (551.071)
- B. El Paso Electric Co. Application to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494, PUC Docket No. 23530 (Section 551.071)
- C. EEOC Charge No. 361 A1 0158 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

Motion made by Representative Ortega, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED TO HIRE AN EXPERT WITNESS** in the lawsuit entitled **DR. GEORGE M. ISAAC, ET AL. VS. CITY OF EL PASO, Cause No. 99-865, Our File No. 99-S-21** as recommended by the City Attorney.


.....
No action was taken regarding the El Paso Electric Co. Application to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494, PUC Docket No. 23530

.....
Motion made by Representative Ortega, seconded by Representative Cook and carried, that the City decline the proposed offer of settlement as proposed by the Equal Employment Opportunity Commission on behalf of **KIPP PETRY, EEOC #361-A1-0158**, as recommended by the City Attorney.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 12:30 p.m.

APPROVED AS TO CONTENT: APPROVED AS TO FORM:

Carole Hunter
Carole Hunter, City Clerk



Charles McNabb, City Attorney